GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prisons Department – Death of CT.Prisoner No: 48 Uppada Gowri Shankar S/o Rambangaraiah on 30.07.2024 - **Sri M. Venkateswarulu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** and (6) others - Exhibited gross negligence - Initiation of Departmental Proceedings under **Rule 20 A.P. Civil Services (CC&A) Rules 1991 read with rule 24 of APCS (CC&A) Rules, 1991 – Articles of charges – Issued**.

HOME (PRISONS & FIRE) DEPARTMENT

G.O.RT.No. 173 Dated: 28-01-2025

From the Director General of Prisons and Correctional Services, Andhra Pradesh, Mangalagiri, vide Lr. No.

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ORDER:

Whereas, it is proposed to hold an inquiry against **Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** in accordance with procedure laid down under Rule 20 A.P. Civil Services (CC&A) Rules 1991 read with rule 24 of APCS (CC&A) Rules, 1991 for exhibiting gross negligence in performing his legitimate duties and failed to assist the Superintendent in day to day administration, which resulted in the death of CT Prisoner No: 48, Uppada Gowri Shankar, S/o Rambangaraiah in the Godavari Barrack of Central Prison, Visakhapatnam on 30.07.2024.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure. II and III).

3. **Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** is hereby directed to submit a written statement of his defense within (10) days from the date of receipt of this Memo and also to state whether he desires to be heard in person.

4. **Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** is informed that an enquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. **Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, or otherwise fails to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991, or the orders/directions issued in pursuance of the said rules, further action will be processed based on the material available.

(P.T.O)

6. Attention of **Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam** is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation received on his behalf from another person in respect of any matter dealt with in these Proceedings it will be presumed that he is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the memorandum shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M.Venkateswarlu, Additional Superintendent of Jails, Central Prison,
Visakhapatnam through the Director General of Prisons and Correctional Services, Andhra Pradesh, Mangalagiri.

Copy to:
The Director General of Prisons and Correctional Services, Andhra Pradesh, Managalagiri with a request to serve the memo on the Charged Officer under proper acknowledgement.

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure I

(G.O.Rt.No.173, Home (Prisons & Fire) Department, Dated: 28.01.2025)

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINSTSRI M.VENKATESWARLU, ADDITIONAL SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM

Article of Charge:-

"That the said Sri M. Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnam has exhibited misconduct and gross negligence in performing his legitimate duties, failed to assist the Superintendent in day-to-day prison administration, not monitored the duties of his subordinate officers, flouting the instructions issued by the office of the DG Prisons and Range Office, vide Memo No. Estt.2/427/2023, dated 23-11-2023 and DIG(CAR)/AO/250/2023, dated 16-2-2023 respectively, which resulted in the suicide attempt of Convict Prisoner CT No. 48, Uppada Gowri Shankar, S/o Rambangaraiahin the Godavari Barrack of Central Prison, Visakhapatnam on 30-7-2024, also led to death of the prisoner. Thisamounts tointentional disobedience to instructions of Superior Offices,insubordination, inviolation of Rule No. 89 of the A.P. Prisons Rules, 1979, and Rule 3 of the A.P.C.S. Conduct Rules, 1964."

Basis of Charge:

One Convict Prisoner No. 48 Uppada Gowri Shankar @ Sankar, S/o Rambangaraiah was convicted and sentenced to R.I. for (20) years and to pay a fine of Rs. 10,000/- i/d SI for three months U/s 3(a) r/w 4 of POCSO ACT in SC No. 151/2020 on the file of Hon'ble Special Judge, POCSO Court, Visakhapatnam on 25-07-2024 and admitted in Central Prison, Visakhapatnam on the same day. This prisoner was shifted to Godavari Barrack on 26-07-2024. On 30-07-2024 at 4.30 PM, the said prisoner has attemptedto suicide by hanging himself to a ventilator in outside toilets on Godavari Block. On observing the incident, the prisoner was immediately removed from the noose and shifted to KGH, Visakhapatnam, where the Casualty Medical Officer declared the prisoner as brought dead.

In the above incident the following lapses are observed**.**

(i) The Charged Officer has been working in Central Prison, Visakhapatnam in the cadre of Deputy Superintendent of Jails since 18-07-2017 to 30-12-2021 and as Additional Superintendent of Jails from 31-12-2021. As seen from the service put in by him, he is the longest serving officer in Central Prison, Visakhapatnam and as such he ought to be well versed with all prison procedures in a Central Prison. But he did not act properly, if he has taken care, the prisoner could not have attempted to commit suicide himself.

(ii) Rule 245 of Andhra Pradesh Prisons Rules, 1979, stipulates that every newly admitted prisoner shall be subjected to such period of quarantine as the Superintendent, on the advice of the Medical Officer, shall direct. In this case, it is observed that the Sri Y.V.S. Simhachala Naidu, Deputy Jailor, Sri P. Kushkumar, Jailor, and Sri S.Kamalakar, Deputy Superintendent of Jails, have approved the swift transfer of the said convict prisoner from the quarantine block to the Godavari Block on the very next day of his admission, without obtaining the advice of the Medical Officer in the "Convict Prisoners Disposal Register".

P.T.O

(iii) As per point no. (vii) of Memo No. Estt-2/427/2023, dated 23-11-2023 of the DG Prisons, AP, the Additional Superintendent of Jails shall allot duties to guarding staff. The Head Office vide **Memo No.EA4/1364/2002, Dated.31-08-2002**and the Range Office, Coastal Andhra Range vide **Memo No.DIG(CAR)/AO/575/2023, Dated. 13-04-2023** issued clear instructions to adopt "2-Shift System" of guarding instead of "3-Shift System" of guarding in institutions where there is shortage of guarding staff. In spite of the issued instructions and knowing pretty well of the shortage of guarding staff and the prisoner overcrowding in Central Prison, Visakhapatnam, the charged officer being the Additional Superintendent of Jails should have advised the Superintendent of Prisons to adopt 2-Shift System of Guarding instead of the already existing 3-Shift System of Guarding. Had 2-Shift System of guarding was followed in Central Prison, Visakhapatnam, there would have been a greater number of guarding staff members in the Central Prison and the prisoner movements could have been effectively monitored and this could have prevented the suicide attempt by the convict prisoner. The failure in assessing the guarding staff requirement in an overcrowded Central Prison and deliberate disobedience to Head Office and Range Office instructions have resulted in the convict prisoner attempting suicide and thereafter dying. This is clearly a failure on part of the charged officer and shows his inefficiency in managing a prison institution.

(iv) As per point No. (xxii) of the Memo. No. Estt-2/427/2023, dated 23-11-2023 of the DG Prisons, AP, the Additional Superintendent of Jails shall aid and assist the Superintendent of Prison in ensuring that proper systems are followed in prison administration. But the charged officer failed in notifying the Superintendent of Prisons about the lapses being committed by the subordinate officers in the prison.

(v) As per point no. (xxvi) of the Memo No. DIG (CAR)/AO/250/2023, dated 16-2-2023 of the Deputy Inspector General of Prisons, Coastal Andhra Range, the Additional Superintendent of Jails is expected to supervise the work of his subordinate officers, supervise on all the Registers and initial them in token of having checked such Registers. Had the charged officer followed this instructions, he would have checked on the Quarantine Registers (Convict Disposal Register) and he could have noticed the shifting of newly admitted prisoners to prisoners barracks without following procedures. But he failed to do so.

(vi) Being the long standing officer in Central Prison, Visakhapatnam, the charged officer is expected to be thoroughly acquainted with the rules, procedures, and established procedures. He is responsible for ensuring compliance with all statutory provisions and assisting the Superintendent in the proper functioning of the administration. The Charged Officer failed to discharge his duties effectively andhas been lethargic in observing the working of the subordinate officers in the prison.

Thus he has violated Rule No. 89 of A.P. Prison Rules, 1979 and Rule 3 of A.P.C.S. Conduct Rules, 1964.

Hence, the **CHARGE**

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE II

(G.O.Rt.No.173 , Home (Prisons & Fire) Department, Dated: 28.01.2025)

List of Documents by which the article of charges framed against Sri M. Venkateswarlu, Additional Superintendent of Jails, Central Prison, Visakhapatnamare proposed to be sustained:

1. Memo No.Estt.2/427/2023, Dt.23-11-2023 of DG Prisons, AP.
2. Memo No.DIG(CAR)/AO/250/2023, Dated. 16-2-2023 of Range Office, Coastal Andhra Range.
3. Convict Prisoners Disposal Register at Central Prison, Visakhapatnam, dated 26.07.2024
4. Memo No.EA4/1364/2002, Dated.31-08-2002 of DG Prisons, AP
5. Memo No.DIG(CAR)/AO/575/2023, Dated. 13-04-2023 of Range Office, Coastal Andhra Range.
6. Inquest report, dated 31.07.2024 on the deceased prisoner, CT No. 48, Uppada Gowri Shankar S/o Rambangaraiah
7. Circular Memo.No:Jud-2/791/23, dated 18.01.2024 of the DG Prisons, Andhra Pradesh.
8. Statement of Sri Y.Simhachalam Naidu, Deputy Jailor, Central Prison, Visakhapatnam.
9. Statement of Sri P.Kusha Kumar, Jailor, Central Prison, Visakhapatnam.
10. Statement of SriS.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam presently working at Central Prison, Kadapa.
11. Statement of Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

(G.O.Rt.No.173, Home (Prisons & Fire) Department, Dated: 28.01.2025)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. VENKATESWARLU, ADDITIONAL SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM ARE PROPOSED TO BE SUSTAINED.

1. Sri Y.Simhachalam Naidu, Deputy Jailor, Central Prison, Visakhapatnam.
2. Sri P.Kusha Kumar, Jailor, Central Prison, Visakhapatnam.
3. Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam presently working at Central Prison, Kadapa.
4. Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT